

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No.211 of 2026

- 1. Md. Latif Ansari @ Md. Latif, aged about 64 years, Son of Mahgali Miyan
- 2. Saddam Ansari @ Md. Saddam, aged about 37 years, Son of Md. Latif Ansari
- 3. Md. Azad Ansari @ Nanku @ Azad Ansari, aged about 33 years, son of Md. Latif

All residents of village – Darji Chak, Chouparan, P.O.-Rampur, P.S.-
Chouparan, District – Hazaribagh/Jharkhand. **Appellants**

Versus

- 1. The State of Jharkhand
- 2. Victim – ‘X’ **Respondents**

CORAM: HON’BLE MR. JUSTICE RAJESH KUMAR

For the Appellants	: Mr. B.M. Tripathi, Sr. Adv. Mr. Naveen Kr. Jaiswal, Adv.
For the State	: Mr. Pankaj Kr. Mishra, A.P.P.
For the Respondent No.2	: Mr. Saurav Kr. Agnivesh, Adv.

03/Dated: 06th May, 2026

- 1. The present appeal has been filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
- 2. Heard learned senior counsel for the appellants, learned counsel for the State and learned counsel for the Respondent No.2/victim.
- 3. It is well settled that although Section 18 of the SC/ST (PoA) Act bars the grant of anticipatory bail, such bar would not apply in cases where no *prima facie* offence under the Act is made out.
- 4. The appeal has been filed against the impugned order dated 20.01.2026 passed in A.B.P. No.2409 of 2025 by the learned Additional Sessions Judge-VI-cum-Special Judge (SC/ST) Act, Hazaribagh in connection with Chouparan P.S. Case No.277 of 2023 corresponding to SC/ST Case No.75 of 2025, registered for the offence under Sections 452, 354B, 379, 504, 506 and 34 of the Indian Penal Code and under Sections 3(1)(d), 3(1)(v), 3(2)(va), 3(1)(z) of the SC/ST (PoA) Act. The case is presently pending in the court of the learned Additional Sessions Judge-VI-cum-Special Judge (SC/ST) Act, Hazaribagh.

5. It has been submitted by the learned senior counsel appearing for the appellants that the dispute essentially pertains to the alleged theft of a tempo, for which an FIR ought to have been instituted. However, instead of lodging an FIR, a complaint case has deliberately been filed with embellishments and exaggerated allegations so as to attract the provisions of the SC/ST (Prevention of Atrocities) Act, which is a beneficial legislation enacted for the protection of the weaker sections of society. On the aforesaid basis, prayer for anticipatory bail has been made.

6. On the other hand, learned counsels for the State as well as victim have opposed the prayer for anticipatory bail and it has been submitted that the victim has been abused and assaulted.

7. Considering the fact that it is a case regarding theft of tempo, the appellants, above named, are directed to surrender in the court below within four weeks from the date of receipt/ production of the copy of this order and in the event of their arrest or surrender, they shall be enlarged on bail, on their furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (SC/ST) Act, Hazaribagh in connection with Chouparan P.S. Case No.277 of 2023 corresponding to SC/ST Case No.75 of 2025 on the conditions as laid down under **Section 482 B.N.S.S., 2023**. Further, the appellants will submit self-attested photocopies of their Aadhaar Cards and also submit their mobile number before the learned court below which they will always keep active and will not change it during pendency of this case without prior permission of the court.

8. In the result, the instant appeal stands allowed and disposed of.

(Rajesh Kumar, J.)

Dated: 06th May, 2026

Amar/-

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